

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH CURRY, RICARDO MAZZITELLI,
JACQUELINE BROWN PILGRIM, on behalf of
themselves and others similarly situated,

Plaintiffs,

-against-

P&G AUDITORS AND CONSULTANTS, LLC; GRC
SOLUTIONS, LLC; PGX, LLC; AND APPLE
BANCORP, INC. d/b/a APPLE BANK FOR SAVINGS,

Defendants.

Case No. 20-cv-06985 (LTS) (SLC)

**AFFIDAVIT OF DEAN G. YUZEK
IN OPPOSITION TO
PLAINTIFFS' MOTION FOR
COLLECTIVE ACTION
CERTIFICATION**

STATE OF NEW YORK)
) ss. :
COUNTY OF NEW YORK)

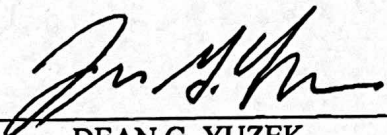
Dean G. Yuzek, being duly sworn, deposes and says:

1. I am a member of the law firm Ingram Yuzek Gainen Carroll & Bertolotti, LLP, attorneys for Defendant Apple Bank for Savings, sued herein as Apple Bancorp, Inc. d/b/a Apple Bank for Savings, ("Apple Bank" or "the Bank"). I submit this affidavit in opposition to the motion of plaintiffs Kenneth Curry, Ricardo Mazzitelli, and Jacqueline Brown Pilgrim (collectively, "Plaintiffs") for collective action certification.

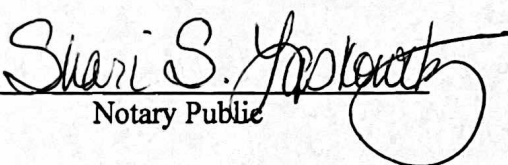
2. Attached as Exhibit A is a true and correct copy of email correspondence among all counsel regarding the terms of a proposed tolling agreement between Plaintiffs, the Bank, and defendants P&G Auditors and Consultants, LLC, GRC Solutions, LLC, and PGX, LLC.

3. Attached as Exhibit B is a true and correct copy of a revised draft of a letter to Magistrate Judge Sarah L. Cave, with the underscored comments of Plaintiffs' attorney Julia Klein,

Esq., regarding a tolling agreement that would have deferred Plaintiffs' motion for collective action certification until, *inter alia*, Apple Bank's motion for summary judgment is determined.


DEAN G. YUZEK

Sworn to before me on this
1st day of February 2021


Notary Public

SHARI S. LASKOWITZ
Notary Public, State of New York
No. 02LA6046659
Qualified in New York County
Commission Expires August 14, 2022